Union Calendar No. 179

112TH CONGRESS 1ST SESSION

H. R. 915

[Report No. 112–268]

To establish a Border Enforcement Security Task Force program to enhance border security by fostering coordinated efforts among Federal, State, and local border and law enforcement officials to protect United States border cities and communities from trans-national crime, including violence associated with drug trafficking, arms smuggling, illegal alien trafficking and smuggling, violence, and kidnapping along and across the international borders of the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

March 3, 2011

Mr. Cuellar (for himself and Mr. McCaul) introduced the following bill; which was referred to the Committee on Homeland Security

November 4, 2011

Additional sponsors: Mr. Farenthold and Mr. Clarke of Michigan

NOVEMBER 4, 2011

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on March 3, 2011]

A BILL

To establish a Border Enforcement Security Task Force program to enhance border security by fostering coordinated efforts among Federal, State, and local border and law enforcement officials to protect United States border cities and communities from trans-national crime, including violence associated with drug trafficking, arms smuggling, illegal alien trafficking and smuggling, violence, and kidnapping along and across the international borders of the United States, and for other purposes.

- Be it enacted by the Senate and House of Representa-1 2 tives of the United States of America in Congress assembled, 3 SECTION 1. SHORT TITLE. This Act may be cited as the "Jaime Zapata Border 4 Enforcement Security Task Force Act". SEC. 2. FINDINGS AND DECLARATION OF PURPOSES. 6 7 Congress finds the following: 8 (1) The Department of Homeland Security's 9 (DHS) overriding mission is to lead a unified na-10 tional effort to protect the United States. United 11 States Immigration and Customs Enforcement (ICE) 12 is the largest investigative agency within DHS and is 13 charged with enforcing a wide array of laws, includ-14 ing laws related to securing the border and combating 15 criminal smuggling. (2) Mexico's northern border with the United 16 17 States has experienced a dramatic surge in border 18 crime and violence in recent years due to intense 19 competition between Mexican drug cartels and crimi-20 nal smuggling organizations that employ predatory tactics to realize their profits. 21 22 (3) Law enforcement agencies at the United
- 23 States northern border face similar challenges from 24 transnational smuggling organizations.

- 1 (4) In response, DHS has partnered with Fed2 eral, State, local, tribal, and foreign law enforcement
 3 counterparts to create the Border Enforcement Secu4 rity Task Force (BEST) initiative as a comprehen5 sive approach to addressing border security threats.
 6 These multi-agency teams are designed to increase in7 formation-sharing and collaboration among the par8 ticipating law enforcement agencies.
- 9 (5) BEST teams incorporate personnel from ICE, United States Customs and Border Protection 10 11 (CBP), the Drug Enforcement Administration (DEA), 12 the Bureau of Alcohol, Tobacco, Firearms and Explo-13 sives (ATFE), the Federal Bureau of Investigation 14 (FBI), the United States Coast Guard (USCG), and 15 the U.S. Attorney's Office (USAO), along with other key Federal, State and local law enforcement agen-16 17 cies.
- 18 (6) Foreign law enforcement agencies include 19 Mexico's Secretaria de Seguridad Publica (SSP), the 20 Canada Border Services Agency (CBSA), the Ontario 21 Provincial Police (OPP), and the Royal Canadian 22 Mounted Police (RCMP).
- 23 SEC. 3. BORDER ENFORCEMENT SECURITY TASK FORCE.
- 24 (a) Establishment.—There is established in United 25 States Immigration and Customs Enforcement (ICE) a

1	program known as a Border Enforcement Security Task					
2	Force (referred to as "BEST").					
3	(b) Purpose.—The purpose of the BEST program is					
4	to establish units to enhance border security by addressing					
5	and reducing border security threats and violence by—					
6	(1) facilitating collaboration among Federa					
7	State, local, tribal, and foreign law enforcement age					
8	cies to execute coordinated activities in furtherance of					
9	border security, and homeland security; and					
10	(2) enhancing information-sharing, including t					
11	dissemination of homeland security information					
12	among such agencies.					
13	(c) Composition and Designation.—					
14	(1) Composition.—BEST units may be com					
15	prised of personnel from—					
16	(A) United States Immigration and Cus					
17	$toms\ Enforcement;$					
18	(B) United States Customs and Border Pro					
19	tection;					
20	(C) the United States Coast Guard;					
21	(D) other Federal agencies, as appropriate;					
22	(E) appropriate State law enforcement					
23	agencies;					
24	(F) foreign law enforcement agencies, as ap-					
25	propriate;					

1	(G) local law enforcement agencies from af-					
2	fected border cities and communities; and					
3	(H) appropriate tribal law enforcement					
4	agencies.					
5	(2) Designation.—The Secretary of Homeland					
6	Security, acting through the Assistant Secretary for					
7	ICE, is authorized to establish BEST units in juris					
8	dictions where such units can contribute to the BEST					
9	program's missions, as appropriate. Prior to estab-					
10	lishing a BEST unit, the Assistant Secretary shall					
11	consider the following factors:					
12	(A) Whether the area where the BEST unit					
13	would be established is significantly impacted by					
14	cross-border threats.					
15	(B) The availability of Federal, State, local,					
16	tribal, and foreign law enforcement resources to					
17	participate in the BEST unit.					
18	(C) The extent to which border security					
19	threats are having a significant harmful impact					
20	in the jurisdiction in which the BEST unit is to					
21	be established, and other jurisdictions of the					
22	country.					
23	(D) Whether or not an Integrated Border					
24	Enforcement Team already exists in the area					
25	where the BEST unit would be established.					

- (d) Operation.—After making a designation under 1 subsection (c)(2), and in order to provide Federal assistance to the area so designated, the Secretary of Homeland Secu-3 4 rity may— (1) obligate such sums as are appropriated for 5 6 the BEST program; 7 (2) direct the assignment of Federal personnel to 8 the BEST program, subject to the approval of the 9 head of the department or agency that employs such 10 personnel; and 11 (3) take other actions to assist State, local, trib-12 al, and foreign jurisdictions to participate in the 13 BEST program. 14 (e) REPORT.—Not later than 180 days after the date 15 of the establishment of the BEST program under subsection (a) and annually thereafter, the Secretary of Homeland Se-16 curity shall submit to Congress a report on the effectiveness of the BEST program in enhancing border security and re-18 ducing the drug trafficking, arms smuggling, illegal alien 19 20 trafficking and smuggling, violence, and kidnapping along 21 and across the international borders of the United States as measured by crime statistics, including violent deaths, 23 incidents of violence, and drug-related arrests.
- 24 (f) AUTHORIZATION OF APPROPRIATIONS.—There is

Security \$10,000,000 for each of fiscal years 2012 through 2 2016 to— 3 (1) establish and operate the BEST program, in-4 cluding to provide for operational, administrative, and technological costs to Federal, State, local, tribal 5 6 and foreign law enforcement agencies participating in the BEST program; and 7 (2) investigate, apprehend, and prosecute indi-8 9 viduals engaged in drug trafficking, arms smuggling, illegal alien trafficking and smuggling, violence, and 10 11 kidnapping along and across the international bor-12 ders of the United States.

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